

DERRICK D. ROBERTSON

16TH JUDICIAL DISTRICT COURT

VERSUS NO. 1 3 1 3 2 2 DIV. "A"

PARISH OF ST. MARY

BAY, LTD. AND BERRY
CONTRACTING, LP

STATE OF LOUISIANA

PETITION FOR DAMAGES

The petition of **DERRICK D. ROBERTSON**, a person of the full age of majority and a resident of the Parish of Lafourche, State of Louisiana, with respect represents as follows:

1.

Made Defendants herein are:

- a. BERRY CONTRACTING, LP, a foreign partnership authorized and doing business in the State of Louisiana, who can be served through its Registered Agent, CT Corporation System, 3867 Plaza Tower Drive, Baton Rouge, Louisiana 70816; and
- b. BAY LTD., a subsidiary of Berry Contracting, LP, who can be served through the Registered Agent for Berry Contracting, LP, CT Corporation System, 3867 Plaza Tower Drive, Baton Rouge, Louisiana 70816.

2.

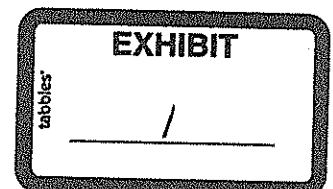
The Defendants are truly and justly indebted to and unto your Petitioner for all general and special damages, as set forth hereinafter and/or as itemized hereinafter, together with legal interest thereon from date of judicial demand, until paid, and for all court costs for these proceedings, for the following reasons, to-wit:

3.

Petitioner was hired by Defendant, Bay, Ltd., on or about March 2012, as a welder in the "West Yard". Petitioner was employed by Defendant Bay, Ltd., for approximately 4 years and 4 months, during which time he suffered episodes of discrimination and retaliation due to his race.

4.

On or about June 16, 2016, petitioner reported to his Supervisor, Ron Norris, that



the Partial Supervisor, Chris Christian, had made a racist comment, which was also extremely crude in nature. This was also reported to a second Supervisor, Timothy Movant.

5.

Petitioner was then harassed, and even suspended, by Timothy Movant, the second Supervisor, for reporting the incident, and the environment became a "hostile workplace".

6.

Petitioner's work environment became hostile and he was then moved from the "West Yard" to the "North Yard" where he picked up trash and swept. Petitioner feels that this move was in retaliation for his reporting the racist comment to his superiors. Petitioner remained in the "North Yard" until his termination on July 22, 2016. Petitioner alleges he was terminated for reporting the racist comment to his superiors.

7.

Because of this, Defendant's actions go beyond the protection of the statutes, laws, and Constitution of the State of Louisiana.

8.

Petitioner avers that as a result of the Defendant's negligent acts, omissions and allegations, your Petitioner has been harassed, retaliated against and suffered damages, said damages itemized as follows:

- a) Past, present and future embarrassment and humiliation;
- b) Mental anguish, stress and physical trauma, past, present and future;
- c) Past, present and future economic loss;
- d) Any other damages and/or acts of negligence to be shown at the trial of this matter.

9.

Petitioner avers that the action and inactions of the Defendant, Bay, Ltd., as aforescribed, were made knowingly, intelligently, and willfully, were injurious to petitioner.

10.

Petitioner reported said acts of discrimination to the EEOC, which has issued a "right to sue letter" to Petitioner.

WHEREFORE, Petitioner, Derrick D. Robertson, prays that the Defendants, Berry Contracting, LP, and Bay, Ltd., be served with a certified copy of this petition and be duly cited to appear and answer same and that after all legal delays and due proceedings had, there be Judgment herein in favor of your Petitioner and against the Defendants, jointly and *in solido*, for all general and special damages allowed or permissible under the pleadings herein and/or as itemized hereinabove, together with legal interest thereon from date of judicial demand, until paid, and for all costs of these proceedings; and for all other general and equitable relief.

Respectfully submitted:



Michael S. Zerlin (#21959)
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Attorney for Derrick D. Robertson

PLEASE SERVE:

Berry Contracting, LP
through its Registered Agent:
CT Corporation System
3867 Plaza Tower Drive
Baton Rouge, Louisiana 70816

Bay Ltd.
through its Registered Agent:
CT Corporation System
3867 Plaza Tower Drive
Baton Rouge, Louisiana 70816

CLERK'S OFFICE, FRANKLIN, LA

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JUL 07 2017

JUL 03 2017

Petition for Damages
Derrick D. Robertson v. Bay Ltd., et al
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A true copy of the original

Attest


Dy. Clerk of Court

s/Jennifer R. Spiane
DY. CLERK OF COURT

DERRICK D. ROBERTSON

16TH JUDICIAL DISTRICT COURT

VERSUS NO. 131322 DIV. "A"

PARISH OF ST. MARY

BAY, LTD. AND BERRY
CONTRACTING, LP

STATE OF LOUISIANA

VERIFICATION

STATE OF LOUISIANA

PARISH OF LAFOURCHE

BEFORE ME, the undersigned Notary Public, duly authorized and commissioned
in and for the above State and Parish, personally came and appeared:


DERRICK D. ROBERTSON

who after being by me duly sworn, did state:

That he is the Petitioner in the above and foregoing Petition for Damages and
that the allegations contained therein are true and correct to the best of his knowledge,
information, and belief.


DERRICK D. ROBERTSON

SWORN TO AND SUBSCRIBED before me this 28th day of June, 2017.


Michael S. Zerlin (#21959)
Attorney-Notary Public
My Commission Expires at death

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JUL 03 2017